

Commonwealth v. Terry Melvin Dalton
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VIRGINIA: IN THE CIRCUIT COURT OF WASHINGTON COUNTY

FIPS Code: 191C
Hearing Date: August 11, 2017
Judge: C. Randall Lowe

COMMONWEALTH OF VIRGINIA

v. SSN: XXX-XX-2143
DOB: [REDACTED] /1981
Sex: Male

TERRY MELVIN DALTON, DEFENDANT

CONVICTION AND SENTENCING ORDER

CASE NO.	OFFENSE DESCRIPTION & INDICATOR	OFFENSE DATE	VA CODE SECTION	VA CRIME CODE
17-747	Possession of Schedule II (F)	07/21/17	§18.2-250	NAR3022F5

Attorney for the Commonwealth: Marianne Woolf
Attorney for the Defendant: Heather Howard (A)
Court Reporter: Lisa Webb

The DEFENDANT: was present was represented by counsel
 was not present was not represented by counsel

WAIVER OF INDICTMENT:

The defendant, being advised of the nature of the charge(s) against him/her and of his/her right to have this charge(s) presented to the Grand Jury of this County, executed a waiver of prosecution by indictment or presentment and consented to proceeding by warrant or information. The waiver was executed by the defendant and witnessed by his/her said counsel in open court before the Judge of this Court, and was filed as part of the record in this case.

PLEA OF DEFENDANT: Guilty Nolle Conteste
 Not Guilty Alford Plea

The plea(s) was/were voluntarily and freely entered.

Following the avowal of the evidence by the Commonwealth and the stipulation to such by the defendant, the Court found the evidence sufficient to support a finding of guilt.

Pursuant to the provisions of Code §19.2-298.01, the Court has considered and reviewed the applicable discretionary sentencing guidelines and the guidelines worksheets. The sentencing guideline worksheets and the written explanation of any departure from the guidelines are ordered filed as a part of the record in this case.

Before pronouncing the sentence, the defendant was asked if he/she desired to make any statement or advance any reason as to why the Court should not pronounce judgment in this case.

Whereupon, based on foregoing, the evidence presented/stipulated and the written plea agreement, the Court pronounced judgment as indicated below:

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SENTENCE(S):

Case No. 17-747

[X] GUILTY

[X] Penitentiary: 5 Years Months

[X] \$ fine and \$ 675.00 costs of this proceeding.

[X] Suspended Sentence: Unserved Portion

This sentence shall run consecutive to any other sentence the defendant may be serving.

All suspensions or deferrals are conditioned upon defendant's general good behavior and, in the case of supervised probation, upon compliance with all terms and conditions of probation as adopted by this court. Probation shall include substance abuse counseling and/or testing as prescribed by the Probation Officer.

[X] PROBATION [X] Supervised 2 Years Commencing Upon release

[X] Defendant ordered to complete any substance abuse screening, sex offender assessment, testing and treatment as directed by the Department of Corrections. The defendant shall be subject payment of any fees associated with substance abuse treatment, sex offender assessment and/or intervention and treatment.

[X] Defendant previously submitted a sample for DNA analysis on 06/14/2007.

[X] Special Program As a special condition of probation, the defendant shall pick up trash and litter in a designated area of Washington County as assigned by his/her Probation Officer and/or the Litter Control Officer.

[X] Court-appointed fee: Court-appointed counsel shall receive a fee in an amount to be determined.

[X] Suspension of operator's license: [X] Six (6) months per drug charge

[X] License surrendered: [] YES [X] NO

[] Restricted license can be issued by separate order.

[X] Payment of Costs/Fine/Restitution:

[] Due within six (6) months of this date or within six (6) months of release from incarceration.

[X] \$50.00 due monthly commencing within 30 days of this date.

[] Pursuant to plan to be established by Probation Officer and approved by this Court.

The defendant is to submit to and cooperate with a substance abuse assessment. Further, the defendant is to enter into and successfully complete any education, counseling, and/or treatment to which the probation officer refers the defendant as a result of such assessment.

The defendant is to remain drug and alcohol-free during the period of probation and shall submit to such testing and education programs as deemed necessary by the Probation Officer to ensure the same.

The defendant shall be given credit for time spent in confinement while awaiting trial pursuant to Virginia Code § 53.1-187.

The defendant was remanded to custody.

This matter is hereby stricken from the docket of this Court.

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ENTER: this 7th day of September 2017

C. Randy Brown, Judge

SENTENCING SUMMARY:

Total Sentence Imposed: 5 years

Total Sentence Suspended: Unserved portion

Probation Period to Serve: 2 years

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